

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

RUTGERS ENHANCED INSURANCE  
COMPANY, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

BENJAMIN C. ESTY, Trustee of the Eaton  
Vance Limited Duration Income Fund, THOMAS  
E. FAUST, JR., Trustee of the Eaton Vance  
Limited Duration Income Fund, ALLEN R.  
FREEDMAN, Trustee of the Eaton Vance  
Limited Duration Income Fund, WILLIAM H.  
PARK, Trustee of the Eaton Vance Limited  
Duration Income Fund, RONALD A.  
PEARLMAN, Trustee of the Eaton Vance  
Limited Duration Income Fund, HELEN FRAME  
PETERS, Trustee of the Eaton Vance Limited  
Duration Income Fund, HEIDI L. STEIGER,  
Trustee of the Eaton Vance Limited Duration  
Income Fund, LYNN A. STOUT, Trustee of the  
Eaton Vance Limited Duration Income Fund,  
RALPH F. VERNI, Trustee of the Eaton Vance  
Limited Duration Income Fund, NORTON H.  
REAMER, Trustee of the Eaton Vance Limited  
Duration Income Fund, EATON VANCE  
MANAGEMENT, an investment advisor and  
Massachusetts business trust, EATON VANCE  
CORPORATION, a Maryland corporation and  
publicly-held holding company, EATON  
VANCE LIMITED DURATION INCOME  
FUND, a Massachusetts business trust, and  
JOHN AND JANE DOES 1-100,

Defendants.

Civil Action No. 10-11259-WGY

**NOTICE OF VOLUNTARY  
DISMISSAL WITHOUT  
PREJUDICE AS TO  
DEFENDANTS**

Plaintiff Rutgers Enhanced Insurance Company, by and through the undersigned counsel, hereby voluntarily dismisses its claims without prejudice against Defendants pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure. Defendants have not served an answer or motion for summary judgment to Plaintiff's complaint.

Dated this 14<sup>th</sup> day of September, 2010

Respectfully submitted,

**BERMAN DEVALERIO**

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**CERTIFICATE OF SERVICE**

I hereby certify that these documents filed through the ECF System will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants.

Dated: September 14, 2010

/s/ Daryl DeValerio Andrews  
Daryl DeValerio Andrews